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Dkt. 0811/47765-C/JPW/AJM/MML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Collin J. Weber et al.

Serial No.: 09/049,865

Examiner: M. Davis

Filed : March 27, 1998

Group Art Unit: 1642

For : METHODS OF INHIBITING IMMUNE SYSTEM DESTRUCTION OF
TRANSPLANTED VIABLE CELLS

1185 Avenue of the Americas
New York, NY 10036
January 9, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

**NOTICE OF APPEAL FROM THE EXAMINER'S DECISION
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Examiner mailed July 16, 2003 finally rejecting pending claims 54-59 and 62-70 in the above-identified application

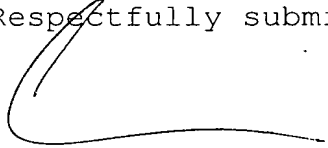
A response to the July 16, 2003 Final Office Action was originally due October 16, 2003. Applicants filed an Amendment and Petition for a one-month extension of time, along with the required fee, on November 17, 2003, which was a Monday. Applicants are concurrently filing a petition for a further two-month extension of time together with the required fee. Accordingly, the subject application is pending today and this Notice of Appeal is being timely filed.

Applicants: Collin Weber et al.
Serial No.: 09/049,865
Filed: March 27, 1998
Page 2

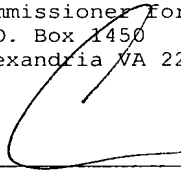
The required fee for filing a Notice of Appeal is ONE HUNDRED AND SIXTY-FIVE DOLLARS for a small entity. Applicant encloses herewith a check in the total amount of ONE HUNDRED AND SIXTY-FIVE DOLLARS (165.00).

No fee, other than the enclosed \$165.00 fee for filing of this Notice of Appeal, is deemed necessary in connection with the filing of this Notice of Appeal. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,


John P. White
Registration No. 28,678
Alan J. Morrison
Registration No. 37,399
Attorneys for Applicants
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
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Alexandria VA 22313-1450


Alan J. Morrison
Reg. No. 37,399

1/2/04
Date